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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

DIVISION OF ENVIRONMENTAL PROTECTION

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Bureau of Water Quality Planning

Proposed Changes To Class Water Quality Standards
Nevada Administrative Code (NAC) 445A.118 through 445A.225

Fact Sheet
September 2003

Background

Section 303 of the Clean Water Act and 40 CFR 131 give states responsibility for setting, reviewing and revising water quality standards. State of Nevada requirements are contained in Nevada Revised Statutes 445A.425 and 445A.565 and water quality standards for waters of Nevada are found in the Nevada Administrative Code (NAC) 445A.118 through 445A.225. To set water quality standards, water bodies are divided into reaches based on land uses and physical and chemical characteristics. Beneficial uses for each reach are designated and criteria (or beneficial use standards) to protect those uses are established. Beneficial Use Standards (BUSs) are usually derived from USEPA national guidance criteria. If existing water quality is significantly better than the BUS, requirements to maintain existing higher quality (RMHQs) may be established in addition to the BUS. Workshops are held to obtain comments on proposed water quality standards from federal, state and local agencies and the general public. After consideration of public comments, the standards are presented at a public hearing to the State Environmental Commission (SEC) for review and adoption. Standards adopted by the SEC are then subject to approval by the USEPA

Summary of Changes to Quality Standards

The Proposed Revisions to the water quality regulations contained in Nevada Administrative Code 445A.124 through 445A.127 (class waters) are as follows.

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- Reformatting the standard tables to make the tables clearer and easer to understand.

- Updating the pH standard for classes A, B and C. Currently the pH standards for classes A, B and C are: Range between 6.5 to 8.5. NDEP proposes to revise the pH standard to read 6.5 to 9.0 to be consistent with other Nevada standards for the protection of aquatic life and consistent with U. S. Environmental Protection Agency criteria.

- Changing Total Phosphate standards to Total Phosphorus. Classes A, B and C all have total phosphate numerical standards. To be consistent with other State phosphorus standards, NDEP proposes to change the total phosphate standard to total phosphorus. By changing the standards to total phosphorus the current numerical standards would be multiplied by 1/3 (0.33). For instance the total phosphate standard of 0.3 mg/l for class B would be changed to total phosphorus at 0.1 mg/l.

- NDEP proposes to correct various errors in the class waters tables.

    - Some reaches are listed in the wrong county, or are listed in only one county when the reach occurs in two counties. NDEP proposes to list the correct county and list the water in both counties. Some of these reaches include Maggie, Rock, Jack Creeks and the Little Humboldt River.

    - A few of the reaches are also misnamed and NDEP would propose to rename those reaches. These include Jack and Harrington Creeks.

    - Some of the class reaches are listed in the wrong hydrographic region or the wrong hydrographic area. NDEP proposes to correct these listings.

- The Muddy River has duplicate standards; it is listed as a class water and also a designated water. NDEP proposes to remove the Muddy River from the class waters.

- NDEP is proposing to use an identifier in the list of waters to identify trout and non-trout waters. The numeric standards for class B and C list two dissolved oxygen (D.O.) and two temperature standards, one for trout waters and another for nontrout waters. Without an identifier it is difficult for the public to know which standard applies.

- For many of the class A waters and a few of the class B waters, the reach designations are referenced to the *point of first diversion*. For example, the reach descriptions for Franktown Creek class A and B are:

    Class A - Franktown Creek - From its origin to the first irrigation diversion.
    Class B - Franktown Creek - From the first irrigation diversion to Washoe Lake.

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Without knowing where the diversions are, it is difficult for the public to know where the breaks in the reaches occur and which standards apply. By using State Water Resources files NDEP has identified the locations of first diversion and proposes adding a descriptor to the point of first diversion. For example, the reach descriptions for Franktown Creek class A and B would be changed to:

Class A - Franktown Creek - From its origin to the first irrigation diversion, *near the north line of section 9, T. 16 N., R. 19 E*.

Class B - Franktown Creek - From the first irrigation diversion, *near the north line of section 9, T. 16 N., R. 19 E.*, to Washoe Lake.

For questions, comments or additional information please contact:

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